

February 29, 2008

Mr. Dale E. Young, Vice President
Crystal River Nuclear Plant (NA1B)
ATTN: Supervisor, Licensing & Regulatory Programs
15760 W. Power Line Street
Crystal River, Florida 34428-6708

SUBJECT: CRYSTAL RIVER UNIT 3 - RESPONSE TO LETTER OF INTENT TO ADOPT
NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805
(TAC NO. MD4658)

Dear Mr. Young:

By letter to the Nuclear Regulatory Commission (NRC) dated February 28, 2007 (Agencywide Documents Access and Management System Accession No. ML070610088), the Florida Power Corporation, now doing business as Progress Energy Florida, Inc. (PEF), informed the NRC staff of its intent to adopt National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generation Plants," 2001 Edition, pursuant to Section 50.48(c) of Part 50 to Title 10 of the *Code of Federal Regulations*, at the Crystal River Unit 3 Nuclear Generating Plant (CR-3).

PEF's letter stated that it intends to transition to the performance-based standard for fire protection at CR-3, and that the period of transition was to commence on the date of the letter of intent. PEF also requested an enforcement discretion period of 3 years in accordance with the NRC's enforcement policy.

On April 18, 2006, the NRC published in the *Federal Register* (71 FR 19905) a revision to its enforcement policy extending the NFPA 805 transition discretion period from 24 to 36 months. Therefore, the requested 36-month discretion period for CR-3 is granted. As such, the NRC considers the discretion period for CR-3 to begin on February 28, 2007, and to expire on February 28, 2010. In addition, in accordance with the Enforcement Policy, the discretion will continue past the 36-month period while the NRC staff is reviewing the license amendment request for transitioning to NFPA-805.

It should be noted that in order to receive enforcement discretion, a licensee must, in part: (a) evaluate the risk significance of all noncompliances to assure that they do not constitute "Red" (or Severity Level I) findings under the NRC's reactor oversight program, (b) enter all noncompliances into a corrective action program, and (c) implement and maintain appropriate compensatory measures until the corrective actions are completed, or until the NRC staff issues the license amendment with its associated safety evaluation. Regulatory Issue Summary 2005-07, "Compensatory Measures to Satisfy the Fire Protection Program Requirements," provides additional guidance regarding appropriate compensatory measures.

If you have any questions regarding this matter, please contact Stewart N. Bailey, Senior Project Manager for CR-3, at 301-415-1321 or snb@nrc.gov.

Sincerely,

/RA JLubinski Acting for/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: See next page

February 29, 2008

D. Young

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If you have any questions regarding this matter, please contact Stewart N. Bailey, Senior Project Manager for CR-3, at 301-415-1321 or snb@nrc.gov.

Sincerely,

/RA/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: See next page

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